

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT ANDERSON,

CIVIL ACTION NO. 15-11727

Plaintiff,

DISTRICT JUDGE DAVID M. LAWSON

v.

MAGISTRATE JUDGE R. STEVEN WHALEN

KEVIN ALLEN JUTZY, M.D.,

RAUL TUMADA, P.A., BADAWI

ABELLATIF, M.D., and ANGELA

VETTRAINO,

Defendants.

/

ORDER

Defendants Abdellatif and Tumada have filed a motion to compel discovery [Doc. #37], specifically requesting that Plaintiff execute a release so that Defendants may obtain his medical records.

I have filed a Report and Recommendation (“R&R”), recommending that these Defendants be dismissed without prejudice based on Plaintiff’s failure to exhaust his administrative remedies before filing suit. If that R&R is adopted, this motion to compel discovery will be moot.

Therefore, Defendants’ motion to compel [Doc. #37] is DENIED WITHOUT PREJUDICE.

IT IS SO ORDERED.

s/R. Steven Whalen

R. STEVEN WHALEN

United States Magistrate Judge

Dated: February 2, 2017

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to parties of record on February 2, 2017, electronically and/or by U.S. mail.

s/Carolyn M. Ciesla

Case Manager